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new government, corporate interests would be completely stagnated. Mr. Pennant's conclusion that private corporations continue to exist is, therefore, in keeping with sound business policy. It is also supported by what authority there is on the point. *Kansas Pac. R. R. Co. v. Atchison T. & S. F. R. R. Co.*, 112 U. S. 414; *Importing and Exp. Co. of Ga. v. Locke*, 50 Ala. 332. The ground of this view is that notwithstanding a change of sovereignty all the laws of a country continue as before until the new sovereign takes active steps to change them, — a principle well established in the law. *Commonwealth v. Chapman*, 13 Met. (Mass.) 68. The change is merely in the sovereign itself, while the entire legal system remains undisturbed. The new government simply assumes control of an already existing system. The old sovereignty has passed statutes and granted charters, and all of them are equally the laws and ordinances of that sovereignty, and should continue in effect until the new government sees fit to change them.

The above considerations should be equally conclusive of the status of municipal corporations. Mr. Pennant's premise that municipal corporations are commonly regarded as subdivisions of the central government cannot be disputed, but it would seem that his conclusion does not necessarily follow. Although the municipalities do exercise functions delegated to them by the old sovereign, those functions are of a purely local and non-political nature, entirely unconnected with national affairs. The sovereign in all nations having systems of local self-government remains in active control only of national and political affairs, and only those should be affected by a change of sovereignty. No decisions in point have been found, but it is a matter of history that municipal charters granted by one government have remained in effect under succeeding governments without re-enactment. For example, the city of New York was governed until 1830 under a charter that was granted in 1730. *NEW YORK CITY CHARTERS, KENT'S NOTES*, p. 71.

CASES ON CRIMINAL LAW. A Selection of Reported Cases on Criminal Law.

By William E. Mikell, Assistant Professor of Law in the University of Pennsylvania. Philadelphia: International Printing Co. In two volumes. Vol. I. 1902. pp. 504. 8vo.

The first volume of a new collection of cases on criminal law by William E. Mikell, Assistant Professor of Law in the University of Pennsylvania, intended primarily for use by the students in the University of Pennsylvania Law School, is well worth a careful examination by any one who is interested in the modern methods of teaching law. The book is divided into two parts on the principle which Mr. Bishop and other modern writers have found expedient, the present volume treating of the general elements of crime and the second volume now in preparation covering cases on specific crimes. In theory of treatment this collection of cases is not unlike the "Cases on Criminal Law" of Professor Beale. The introductory cases indicating the sources of criminal law, the chapters on the nature of the criminal act, on criminal intent, on criminal intent as affected by peculiar conditions, and on justification for crime, and finally the chapter on parties to crime, follow very closely the scheme of Professor Beale's book. The noticeable features distinguishing the present work are the more refined subdivision of the subject-matter, the tendency to introduce decisions in which the opinions are long and the arguments *pro* and *con* elaborately discussed, and finally the addition of a group of American cases decided since the publication of Mr. Beale's book.

This close subdivision of topics merits distinct approval. The placing of each case under a specific head suggests to the student the principle of law for which it is inserted, and enables the discussion of it in the class-room to be focused upon that principle. The book moreover is thus made far more serviceable to the practitioner, who usually desires to know the law upon a certain specific point and who can turn at once in Mr. Mikell's book to an apt illustra-

tion of the general doctrine upon that point and also find appended to it a footnote containing excellent examples of contrary or modified views adopted in other jurisdictions.

The introduction of long opinions seems much more valuable in a book that is to be used for private study than in one that is intended to be used for classroom discussion. The most satisfactory cases for use under the "case system" of teaching law are those short, terse decisions which contain a few essential facts and a brief statement by the court of its opinion, but which leave the student to determine the grounds of the court's action and the validity of its position. Decisions which contain elaborate arguments dissecting the varying doctrines upon a questionable point of law leave little opportunity for original thought by a class. At most a student can say only that the decision is right or that a certain objection is not answered convincingly. To the student who does not have the benefit of class discussion the well chosen elaborate opinion is, of course, valuable, as it presents to him just what the discussion by the class and the summary by the teacher ought to put before him.

The recent American cases included in the volume are happily chosen and illustrate effectively the present tendency of the American courts. Under this head one may refer in particular to the cases on criminal conspiracy. The wisdom of introducing the subject of conspiracy into a discussion of the elements of crime may well be doubted; for conspiracy is in fact a specific crime and should be taken up in the volume considering other specific crimes and should not be treated as if it were mere partial performance of a further criminal act like the attempt or solicitation to commit a criminal act. Yet if it be granted that the subject is treated in a suitable place the cases which are chosen from a legion of modern decisions are particularly appropriate.

The publishers are to be congratulated on the make-up of the book. The type is clear and large, and the broad margins give excellent opportunities for additional notes and citations by the student.

W. R. P.

REPORT OF THE MASSACHUSETTS COMMITTEE ON CORPORATION LAWS, created by Acts of 1902, chapter 335. Boston : Wright & Potter Printing Co. 1903. pp. 306. 8vo.

Under the provisions of an act of the Massachusetts Legislature of 1902, a committee of three leading members of the bar was appointed to consider the laws of the state relating to the formation, taxation, and conduct of manufacturing and trading corporations. This act was the product of a growing conviction that the present laws have become unsuited to existing industrial and financial conditions. The committee has now completed its labors and submitted its report to the legislature.

The report contains a criticism of the existing statutes with reference to their theory and practical effect, a suggestion as to the true theory which should govern such legislation, and a draft of a Business Corporation Law, the adoption of which is recommended in place of the existing laws. The committee disapproves of many of the burdensome conditions now imposed on Massachusetts corporations, such as the restrictions on capitalization and the payment of stock and the requirements as to the liability of officers and stockholders, as arbitrary and unsuited to modern business methods. Freedom of organization and capitalization, freedom of self-regulation, and liberality towards foreign corporations, subject only to reasonable supervision and control, are regarded as the guiding principles. The subject of taxation is treated with especial thoroughness. The history of the legislation on this topic is clearly outlined, its burdensome or prohibitive effects on some classes of corporations are carefully analyzed, and its inadequacy under modern conditions is plainly established.

The act recommended by the committee is a conservative revision of present legislation, drawn on liberal lines. It does not change the machinery of the existing laws, yet it considerably increases corporate freedom along the lines